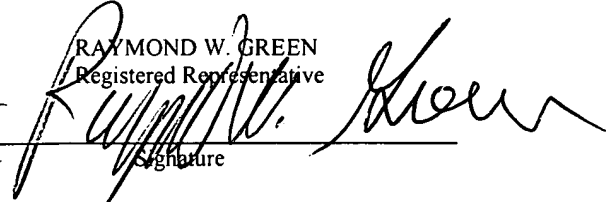




41 2632 / J

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, sufficient postage prepaid, in an envelope addressed to: Mail Stop Amendment, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on July 20, 2005.

RAYMOND W. GREEN  
Registered Representative  
  
Signature

Date of Signature: July 20, 2005

**PATENT**  
Case 285/502

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Daniel J. Mattson et al. :

Serial No.: 09/558,386 :

Filed: April 25, 2000 :

For: SYSTEM FOR DETECTING AND  
RELEASING A PERSON LOCKED  
IN THE TRUNK OF A VEHICLE :

Group Art Unit: 2632

Examiner: Davetta Woods Goins

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

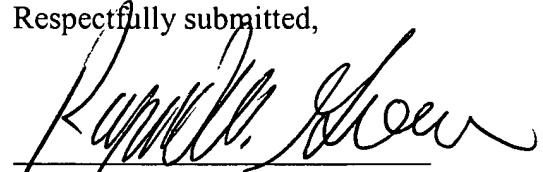
Mail Stop Amendment  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Information Disclosure Statement and copies of references cited, other than U.S. patents and a published U.S. patent application; and a check for \$180.00, believed to be the current fee for filing an information disclosure statement at this stage of prosecution.

In the event that an additional fee is due, please charge the deposit account of Brinks  
Hofer Gilson & Lione, Deposit Account 23-1925.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Raymond W. Green", written over a horizontal line.

Raymond W. Green  
Registration No. 24,587

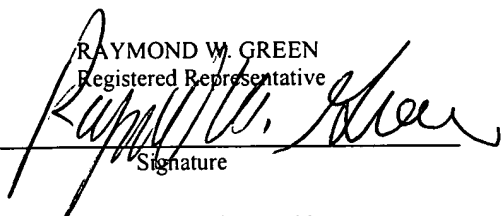
BRINKS HOFER GILSON & LIONE  
P. O. Box 10395  
Chicago, Illinois 60610  
312-321-4222

July 20, 2005



**CERTIFICATE OF MAILING**

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**PATENT**  
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RELEASING A PERSON LOCKED :  
IN THE TRUNK OF A VEHICLE :

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In conjunction with the examination of this Application, the Examiner is requested to consider the following references.

**U.S. Patent Documents:**

5,371,659	12-1994	Pastrick et al.	362/83.1
5,554,912	09-1996	Thayer et al.	315/157
5,653,386	08-1997	Hennessee et al.	237/12.3B
5,669,704	09-1997	Pastrick	362/83.1
5,693,943	12-1997	Tchernihovski et al.	250/342

07/26/2005 SSITHIB1 00000041 09558386  
01 FC:1806

180.00 OP

5,859,479	01-1999	David	307/10.8
5,938,321	08-1999	Bos et al.	362/494
6,086,131	07-2000	Bingle et al.	296/76
6,139,172	10-2000	Bos et al.	362/494
6,166,625	12-2002	Teowee et al.	340/426
6,254,261	07-2001	Bingle et al.	362/501
6,278,377	08-2001	DeLine et al.	340/815.4
6,390,529	05-2002	Bingle et al.	296/76
6,420,975	07-2002	DeLine et al.	340/815.4
6,428,172	08-2002	Hutzel et al.	359/838
6,460,906	10-2002	Bingle et al.	296/336.3
6,480,103	11-2002	McCarthy et al.	340/425.5
6,485,081	11-2002	Bingle et al.	296/76
6,621,411	09-2003	McCarthy et al.	340/425.5
6,692,056	02-2004	Bingle et al.	296/76
6,783,167	08-2004	Bingle et al.	296/76
6,832,793	12-2004	Bingle et al.	292/336.3
6,902,284	06-2005	Hutzel et al.	359/865
US2005/0023858A1	02-2005	Bingle et al.	296/76

**Foreign Patent Documents:**

EP 1,039,077 A2	09-2000	European Patent Office
EP 1,039,077 A3	09-2000	European Patent Office
JP 10-278564 A	10-1998	Japan (In Japanese with English Derwent Abstract)
WO 98/36950 A	08-1998	PCT

**Other Documents:**

Patent Abstracts of Japan, Vol. 1999, No. 1, January 29, 1999, Abstract for Japanese Published Patent Application JP 10-278564 A.

**REMARKS**

Applicants have substantially copied claims of U.S. Patent 6,130,614, issued to Miller, for purpose of interference. The Miller patent is currently undergoing reexamination, Control No. 90/006,690. Some of the claims of Miller are cancelled, and all of the claims of Miller that are not cancelled are finally rejected and on appeal to the Board of Patent Appeals and Interferences. An Appeal Brief was filed on December 22, 2004, an Examiner's Answer was mailed on April 11, 2005, and a reply brief was *due* on June 11, 2005. It appears that no reply

brief or request for oral hearing was filed, but that in lieu of filing a reply brief, a belated<sup>1</sup> IDS was filed on June 2, 2005. In that IDS, Miller's attorney cited EP 1,039,077 A2 and EP 1,039,077 A3, which are now cited herein. All of the references now cited (1) are cited in the June 2, 2005 IDS; (2) are U.S. counterparts<sup>2</sup> of the references cited in the June 2, 2005, IDS; (3) are incorporated by reference (or issued from an application that was incorporated by reference) in one or more of the references of groups (1) and (2)<sup>3</sup>; (4) are listed in the search report of the cited EP 1,039,077 A3<sup>4</sup>; or (5) otherwise came to my attention as a result of the June 2, 2005, IDS. Thus, the undersigned has learned of all of the references now cited, on or after June 16, 2005, when the June 2, 2005, IDS was discovered to be posted in the Image File Wrapper of Reexamination 90/006,690.<sup>5</sup>

Copies of the references now cited, other than U.S. patents and one U.S. published applications, are enclosed, along with sheets for the Examiner to initial, to acknowledge review of the references. Copies of the U.S. patents and the U.S. published application cited herein will be provided on request.

\* \* \*

David U.S. Patent 5,859,479 (1979), now cited herein, discloses an anti-confinement device for an automobile trunk, operable by an individual confined in the trunk.

Bingle et al. U.S. Patent 6,086,131 (2000), now cited herein, resulted directly from Serial No. 09/275,565 (the first priority document for EP 1,039,077), and has an effective filing date of March 24, 1999, about a month prior to Applicants' effective filing date (but after Applicants' date of invention, as shown by declarations filed in this Application), and discloses a safety handle for an automobile trunk, operable by an individual confined in the trunk.

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<sup>1</sup> The IDS filed June 2, 2005, incorrectly states that it is filed "... before the mailing of a final action ...".

<sup>2</sup> EP 1,039,077 A2 claims priority of 4 U.S. Patent Applications, namely Serial Nos. 60/135,393; 09/275,565; 09/484,754; and 09/516,831. Serial Nos. 09/275,565; 09/484,754 and 09/516,831, and their continuing Applications, have resulted in 10 U.S. patents and one additional published application, which are cited herein.

<sup>3</sup> EP 1,039,077 A2 and continuing applications of Serial No. 09/275,565 incorporate by reference additional U.S. patents and U.S. patent applications which have now issued as U.S. patents, which are cited herein.

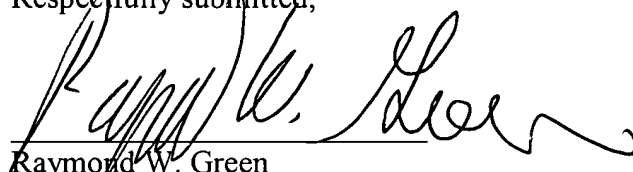
<sup>4</sup> EP 1,039,077 A3 includes an EPO search report for the subject matter of EPA 1,039,077. The search report cites a PCT patent application already of record, Japanese Patent Application JP 10/278,564 (published in October 1998), Patent Abstracts of Japan (published in January 1999), another PCT patent application, and three U.S. Patents. The cited documents not previously of record in this Application are cited herein.

<sup>5</sup> Although the undersigned was the Reexamination Requester for Reexamination 90/006,690, the Patent Owner has not served me with a copy of the IDS filed June 2, 2005.

EP 1,039,077 A2 and the other patents and applications claiming priority of Serial No. 09/275,565, and now cited herein, disclose a safety system for an automobile trunk, operable by an individual confined in the trunk, but the effective dates of the disclosures (except that which is also found in Bingle et al. U.S. Patent 6,086,131) appear to be after Applicant's effective filing date.

Bingle et al. U.S. Patent 6,485,081, cited herein, makes reference to "carbon dioxide sensors" at column 23, lines 4-7, but the effective date of the disclosure appears to be after Applicant's effective filing date.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Raymond W. Green", written over a horizontal line.

Raymond W. Green  
Registration No. 24,587

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Chicago, Illinois 60610  
312-321-4222

July 20, 2005



FORM PTO-1449	SERIAL NO. 09/558,386	CASE NO. 285/502
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE April 25, 2000	GROUP ART UNIT 2632
(use several sheets if necessary)		APPLICANT(S): Daniel J. Mattson et al.

#### REFERENCE DESIGNATION

#### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	5,371,659	12-1994	Pastrick et al.	362/83.1	
	A2	5,554,912	09-1996	Thayer et al.	315/157	
	A3	5,653,386	08-1997	Hennessee et al.	237/12.3B	
	A4	5,669,704	09-1997	Pastrick	362/83.1	
	A5	5,693,943	12-1997	Tchernihovski et al.	250/342	
	A6	5,859,479	01-1999	David	307/10.8	
	A7	5,938,321	08-1999	Bos et al.	362/494	
	A8	6,086,131	07-2000	Bingle et al.	296/76	
	A9	6,139,172	10-2000	Bos et al.	362/494	
	A10	6,166,625	12-2002	Teowee et al.	340/426	
	A11	6,254,261	07-2001	Bingle et al.	362/501	
	A12	6,278,377	08-2001	DeLine et al.	340/815.4	
	A13	6,390,529	05-2002	Bingle et al.	296/76	
	A14	6,420,975	07-2002	DeLine et al.	340/815.4	
	A15	6,428,172	08-2002	Hutzel et al.	359/838	
	A16	6,460,906	10-2002	Bingle et al.	296/336.3	
	A17	6,480,103	11-2002	McCarthy et al.	340/425.5	
	A18	6,485,081	11-2002	Bingle et al.	296/76	
	A19	6,621,411	09-2003	McCarthy et al.	340/425.5	
	A20	6,692,056	02-2004	Bingle et al.	296/76	
	A21	6,783,167	08-2004	Bingle et al.	296/76	
	A22	6,832,793	12-2004	Bingle et al.	292/336.3	
	A23	6,902,284	06-2005	Hutzel et al.	359/865	
	A24	US2005/0023858A1	02-2005	Bingle et al.	296/76	

#### FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A25	EP 1,039,077 A2	09-2000	European Patent Office		
	A26	EP 1,039,077 A3	09-2000	European Patent Office		
	A27	JP 10-278564 A	10-1998	Japan		Abstract (in Japanese with English Derwent Abstract)
	A28	WO 98/36950 A	08-1998	PCT		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449	SERIAL NO. 09/558,386	CASE NO. 285/502
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>	FILING DATE April 25, 2000	GROUP ART UNIT 2632
(use several sheets if necessary)	APPLICANT(S): Daniel J. Mattson et al.	

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS (Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.	
A29	Patent Abstracts of Japan, Vol. 1999, No. 1, January 29, 1999, Abstract for Japanese Published Patent Application JP 10-278564 A.	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.